

Constance Brown

Firelane Family Apartments LP

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: _____

Attorney for : Plaintiff Defendant or Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk:

This matter came before the Court pursuant to Defendant’s notice of motion and Defendant’s motion for judgment notwithstanding the verdict as to the award of punitive damages only, filed September 22, 2022, and Plaintiff’s motion for costs, filed September 21, 2022. Defendant’s motion is decided without oral argument pursuant to Rule 50(e), SCRPC.

Upon consideration of Defendant’s motion and Plaintiff’s memorandum of law in opposition, filed October 6, 2022, the Court denies Defendant’s motion.

Upon consideration of Plaintiff’s motion, the Court finds that the costs are fair and reasonable, and were necessarily incurred in the prosecution of the action by the prevailing party. See Rule 54(d), SCRPC.

Therefore, the Court DENIES Defendant’s notice of motion and Defendant’s motion for judgment notwithstanding the verdict as to the award of punitive damages only and GRANTS Plaintiff’s motion for costs.

IT IS SO ORDERED.

RECEIVED

Dec 13 2022

SC Court of Appeals

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate “N/A” in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
		\$
		\$
		\$

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

Circuit Court Judge DeAndrea Gist Benjamin **Judge Code** 2161 **Date** _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20 _____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20 _____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court _____

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Richland Common Pleas

Case Caption: Constance Brown , plaintiff, et al vs Firelane Family Apartments LP
, defendant, et al
Case Number: 2018CP4000583
Type: Order/Form 4

So Ordered

s/DeAndrea Gist Benjamin, #2161

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
CIVIL ACTION NO.: 2018-CP-40-00583

Constance Brown, individually, and as
Guardian ad Litem for Zamaria Stuckey,
a minor under the age of 14,

Plaintiff,

vs.

Firelane Family Apartments LP, D/B/A
Deer Park Apartments,

Defendants.

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VERDICT FORM SC Court of Appeals

2022 SEP 13 AM 11:45

RICHLAND COUNTY
FILED

1. Was Defendant Firelane Family Apartments LP D/B/A Deer Park Apartments negligent?
 YES - Go to Question 2
 NO - Stop deliberations
2. Was Defendant Firelane Family Apartments LP D/B/A Deer Park Apartments' negligence a proximate cause of Plaintiffs Constance Brown and Zamaria Stuckey's injuries?
 YES - Go to Question 3
 NO - Stop deliberations
3. Was Plaintiff Constance Brown negligent?
 YES - Go to Question 4
 NO - Go to Question 7
4. Was Plaintiff Constance Brown's negligence a proximate cause of Plaintiff Zamaria Stuckey's injuries?
 YES - Go to Question 5
 NO - Go to Question 7
5. Using the combined negligence that proximately caused Plaintiff Zamaria Stuckey's injuries as one hundred percent (100%), what percentage of that negligence is attributable to Plaintiff Constance Brown and what percentage is attributable to the Defendant Firelane Family Apartments LP D/B/A Deer Park Apartments? [The percentage must add up to 100%.]

Plaintiff _____ %
Defendant _____ %
Total _____ %

6. Was Plaintiff Constance Brown's negligence greater than fifty percent?
_____ YES - Stop deliberations
_____ NO - Go to Question 7

7. Please state the amount of damages, if any, sustained by Plaintiff Zamaria Stuckey.

[Do not reduce the Plaintiff's total damages based on the percentage of negligence by any party. After you have answered these questions, the judge will compute the amount of damages for which the Defendant is responsible based on the percentage of the Defendant's negligence which you have decided proximately caused the Plaintiff's injuries. You are to determine only the total amount of the Plaintiff's damages and enter that amount below.]

\$ 1,386,950.00 Actual Damages

8. Do you find that the Defendant acted recklessly, willfully, or with wanton disregard in causing Plaintiff's injuries and damages and Plaintiff has proven this by clear and convincing evidence?

YES (Go to Question 9) _____ NO (Stop Deliberations)

9. State the full amount of punitive damages, if any, that you, the Jury, find for the Plaintiff.

\$ 750,000.00 Punitive Damages

WHEN YOU HAVE COMPLETED THE QUESTIONS, SIGN BELOW
AND NOTIFY THE BAILIFF.

FOREPERSON

September 12, 2022
Columbia, South Carolina